explaining what the stated differences are. Applicants urge that the four groups of claims are so closely related that the requirement for a restriction requirement is improper.

First, all of the pending claims are classified within the same class and subclass. Consequently, the burden of searching is identical regardless of whether a search is done for one of the four groups of claims or whether a search is performed for all of the claims. The search is identical. Therefore, the lack of a restriction would not impose a burden upon the Examiner.

Second, the methods steps of all of the claims are nearly identical. The steps of claims 1 and 25 (from Groups I and II, respectively) are almost identical. Claim 1 is drawn to a method of screening a chemical for its ability to enhance binding of a co-regulatory protein to a nuclear receptor or to a nuclear receptor ligand binding domain. Claim 25 is drawn to a method of screening a test chemical to determine if it has activity similar to a known chemical. In claim 1 the method requires growing cells in the presence or absence of a single chemical and comparing the results whereas in claim 25 cells are again grown in the presence or absence of a chemical and the results are compared. Claim 34 (Group III) is drawn to a method of determining a concentration of a ligand or a hormone in a tissue sample. The steps of this claim are again nearly identical with those of claim 25. In claim 34 cells are grown in the presence of a tissue extract or in the presence of a known ligand or hormone and the results are compared. The tissue extract is the equivalent of the test chemical of claim 25 and the known ligand or hormone is a control for comparison in a manner such as the lack of a chemical was the control for claims 1 and 25. Finally, claim 43 (Group IV) is drawn to a method of screening for a protein which interacts with a chemical. As with claims 1 and 25, the steps involve growing cells in the presence and absence of a single chemical and comparing the levels of expression of a reporter gene. The difference between claims 1 and 43 is that in claim 1 cells are cotransfected with a single nucleic acid whereas in claim 43 cells are cotransfected with a library of nucleic acids and replicate colonies are analyzed.

All of the claims are similar in that the steps include:

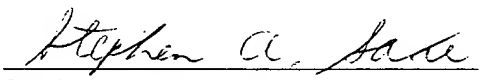
i) cotransfecting cells with a) a gene which expresses a co-regulatory protein comprising SDPPSPS and b) a nucleic acid (Groups I-III) or a library of nucleic acids (Group IV) wherein the cells comprise a reporter gene the expression of which depends upon the co-regulatory protein binding to the nuclear receptor or nuclear receptor ligand binding domain;

ii) growing a first portion of the cotransfected cells in the presence of a chemical (or tissue extract) and growing a second portion of cotransfected cells in either the absence of the chemical or in the presence of a known chemical (hormone, ligand); and

iii) determining the level of expression of a reporter gene in each portion of cells.

In view of the similarity of steps of all of the claims and in view of the fact that all of the claims are identically classified thereby causing no added burden of searching, it is urged that the restriction requirement should be withdrawn. If the requirement is maintained, it is requested that the Examiner set forth a statement of specifics as to why it is considered that the claims require different methodologies, products and technical considerations and furthermore what basis there is for even imposing a restriction requirement in the absence of a provision under M.P.E.P. § 806.05.

Respectfully submitted,



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